

of bonds by such cities, payable out of said taxes; validating certain bond elections; repealing all laws and parts of laws in conflict therewith, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

FAUBION, Chairman.

Committee Room.

Austin, Texas, February 11, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 19, Inviting Hon. R. E. Thomason to address the Legislature,

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

FAUBION, Chairman.

Committee Room.

Austin, Texas, February 11, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 28, "An Act for the protection of stock raisers and farmers; providing for the destruction of depredating wild animals; making an appropriation therefor, and providing the method how it shall be expended; to repeal all laws and parts of laws in conflict therewith, and providing for hunting and trapping wild depredating animals as set out in this act in the posted lands or premises of another after having obtained permit therefor; providing for the issuance of permits, and providing for revoking and recalling same upon certain conditions, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 2:15 o'clock p. m., presented same to the Governor for his approval.

FAUBION, Chairman.

## TWENTY-FOURTH DAY.

(Continued.)

(Saturday, February 12, 1921.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Thomas.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 11, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 23, Providing for a joint session of the Senate and House on Monday, February 14, 1921, at 10:30 a. m., in the Hall of the House of Representatives, for a conference with the Governor.

H. C. R. No. 21, Requesting the Attorney General to make an investigation into the sudden drop in the price of oil.

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

## HOUSE BILL NO. 115 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 115, requiring owners, etc., of oil mills to make quarterly reports to the Comptroller and requiring the payment of an occupation tax.

The bill having heretofore been read second time, with amendment by Mr. Pope and substitute by Mr. Veatch for the amendment pending.

Question—Shall the substitute be adopted?

(Mr. Pollard in the chair.)

On motion of Mr. Bonham, the bill was laid on the table subject to call.

## RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

H. C. R. No. 11, Providing redistricting maps of the State of Texas.

## MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,

Austin, Texas, February 12, 1921.

To the Senate and the House of Representatives:

After a thorough study into the af-

fairs of the State Railroad, which is now a part of the Penitentiary System, I deem it my imperative duty to direct your special attention to this subject for appropriate legislation, and for your information, make the following brief review of its history:

In 1907 the Thirtieth Legislature provided for the construction and extension of a railroad from Rusk to Palestine, a distance of thirty-four miles, to be owned and operated by the State of Texas, and for this purpose authorized the issuance of bonds by the Penitentiary Board, aggregating \$150,000, bearing interest at five per cent, secured by a lien upon the railroad, and in the same act provided for the purchase of said bonds by the Board of Education out of the permanent school fund. Two years thereafter the Legislature passed another act providing for the completion by the Penitentiary Commissioners of the railroad and provided for the issuance of bonds by the said Commissioners, aggregating \$200,000, bearing interest at five per cent per annum, providing that \$150,000 should be used to redeem bonds first issued under and by virtue of the legislative Acts of 1907, providing for a lien upon the railroad as security, and providing a method of redemption of said bonds. It authorized the purchase of said bonds by the Board of Education out of the permanent school fund.

From 1913 to 1921 the Legislature, at different times, appropriated, out of the general revenue of the State, for the support and maintenance of this railroad, sums of money aggregating \$316,890.

This road owes the permanent school fund at this time the sum of \$100,000, with interest on said bonds from December 1, 1914, to December 1, 1920, aggregating for the six years \$30,000 in interest, which is past due.

In all, more than a half million dollars has been expended on the road out of the general revenue of the State of Texas. In addition to this, the entire earnings of the road have been donated to it for its upkeep and maintenance. The operation of this road from September 1, 1917, to December 31, 1920, has cost the people of Texas \$159,378.66. Every time a wheel has turned since the construction of this railroad, thirteen years ago, it has thrown the State deeper in debt. The rolling stock of this road is now practically worthless, its roadbed is worn out, and the entire system is depleted. It seems to me that it

has been demonstrated beyond a doubt that this road never has been, is not now, and never will be capable of sustaining itself. This annual drain of money on the public treasury should be no longer permitted. To do so, would be unbusiness-like and unjust to the taxpaying citizens of this State.

I, therefore, submit this problem to the Legislature for its solution. In studying it we should not forget that on account of the operation of this road we now owe the permanent school fund one hundred and thirty thousand dollars. In addition to this debt, which I judge must be paid from the general revenues, you will find that there are outstanding debts for operating expenses aggregating approximately two hundred thousand dollars that the State is under legal obligations to settle.

The Penitentiary Commission, or a committee of three business men of the State, should be by proper law, authorized to discontinue the operation of the road and either lease or sell the road and all its equipments.

Respectfully submitted,  
PAT M. NEFF,  
Governor.

#### HOUSE BILL NO. 7 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act to repeal Articles 865a, 865b, 865c, 865d, 865e, 865f, 865g, 865h and 865i, of the Code of Criminal Procedure of the State of Texas."

The bill having been read second time on Thursday, January 27.

Mr. Quaid moved to lay the bill on the table subject to call.

Question—Shall the motion of Mr. Quaid prevail?

#### ADJOURNMENT.

Mr. Burmeister moved that the House adjourn until 11:20 o'clock a. m. Saturday, February 12.

Mr. West moved that the House adjourn until 2 o'clock p. m. Saturday, February 12.

Mr. Miller of Dallas moved that the House adjourn until 10 o'clock a. m. next Monday.

The motion of Mr. Miller of Dallas prevailed, and the House, accordingly, at 11:20 o'clock a. m., adjourned until 10 o'clock a. m. next Monday.

## APPENDIX.

## REPORT OF COMMITTEE ON EN-ROLLED BILLS.

Committee Room,  
Austin, Texas, February 11, 1921.

Hon. Charles G. Thomas, Speaker of  
the House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 11, Providing redistrict-  
ing maps for members of the Legisla-  
ture,

Have carefully compared same and  
find it correctly enrolled, and have this  
day, at 10:45 o'clock a. m., presented  
same to the Governor for his approval.

FAUBION, Chairman.

## TWENTY-FIFTH DAY.

(Monday, February 14, 1921.)

The House met at 10 o'clock a. m.,  
pursuant to adjournment, and was called  
to order by Speaker Thomas.

The roll was called and the following  
members were present:

|                    |                   |
|--------------------|-------------------|
| Aiken.             | Davis, John,      |
| Baker.             | of Dallas.        |
| Baldwin.           | Dinkle.           |
| Barker.            | Duffey.           |
| Barrett of Bell.   | Duncan.           |
| Barrett of Fannin. | Edwards.          |
| Bass.              | Estes.            |
| Beasley            | Faubion.          |
| of Hopkins.        | Fly.              |
| Beasley            | Fugler.           |
| of McCulloch.      | Garrett.          |
| Beavens.           | Greer.            |
| Binkley.           | Grissom.          |
| Black, O. B.,      | Hall.             |
| of Bexar.          | Hardin.           |
| Black, W. A.,      | Harrington.       |
| of Bexar.          | Harrison.         |
| Bonham.            | Henderson         |
| Branch.            | of McLennan.      |
| Bryant.            | Henderson         |
| Burkett.           | of Marion.        |
| Burmeister.        | Hendricks.        |
| Burns.             | Hill.             |
| Carpenter.         | Horton.           |
| Childers.          | Johnson of Ellis. |
| Chitwood.          | Johnson           |
| Coffee.            | of Wichita.       |
| Cox.               | Jones.            |
| Cummins.           | Kacir.            |
| Curtis.            | Kellis.           |
| Darroch.           | King.             |
| Davis, John E.,    | Lackey.           |
| of Dallas.         | Laird.            |

|                   |                    |
|-------------------|--------------------|
| Laney.            | Rowland.           |
| Lauderdale.       | Satterwhite.       |
| Lawrence.         | Schweppé.          |
| Lindsey.          | Seagler.           |
| Looney.           | Shearer.           |
| McDaniel.         | Sims.              |
| McFarlane.        | Smith.             |
| McKean.           | Sneed.             |
| McLeod.           | Stephens.          |
| Malone.           | Stevenson.         |
| Martin.           | Stewart            |
| Marshall.         | of Edwards.        |
| Mathes.           | Stewart of Reeves. |
| Melson.           | Swann.             |
| Merriman.         | Sweet of Brown.    |
| Miller of Parker. | Sweet of Tarrant.  |
| Morgan.           | Teer.              |
| Moore.            | Thomas             |
| Morris of Medina. | of Limestone.      |
| Morris            | Thomason.          |
| of Montague.      | Thompson           |
| Mott.             | of Harris.         |
| Neblett.          | Thompson           |
| Owen.             | of Red River.      |
| Patman.           | Thorn.             |
| Perkins           | Thrasher.          |
| of Cherokee.      | Veatch.            |
| Perry.            | Wadley.            |
| Pollard.          | Walker.            |
| Pool.             | Wallace.           |
| Quaid.            | Webb.              |
| Quicksall.        | Wessels.           |
| Rice.             | West.              |
| Rogers of Harris. | Westbrook.         |
| Rogers of Shelby. | Williams           |
| Rosser.           | of Montgomery      |
| Rountree.         | Wright.            |

Absent.

|                   |              |
|-------------------|--------------|
| Brown.            | Williams     |
| Miller of Dallas. | of McLennan. |
| Pope.             |              |

Absent—Excused.

|               |                   |
|---------------|-------------------|
| Adams.        | Kveton.           |
| Brady.        | Leslie.           |
| Crawford.     | McCord.           |
| Crumpton.     | Menking.          |
| Hanna.        | Perkins of Lamar. |
| Johnson       | Quinn.            |
| of Gillespie. |                   |

A quorum was announced present.

Prayer was then offered by the Rev.  
Edward Owers, pastor of the Christian  
Church of Austin.

## LEAVES OF ABSENCE GRANTED.

The following members were granted  
leaves of absence on account of impor-  
tant business:

Mr. Hanna for Monday, Tuesday and  
Wednesday, on motion of Mr. Edwards.

Mr. Perkins of Lamar for today and  
tomorrow, on motion of Mr. Lindsey.